



Appeal Decision

Site visit made on 23 January 2023

by A A Phillips BA(Hons) DipTP MTP MRTPI AssocIHBC

an Inspector appointed by the Secretary of State

Decision date: 10 February 2023

Appeal Ref: APP/P4415/W/21/3284044

Birkett House, Lindrick Common, Lindrick, Rotherham S81 8BQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Andrew Willoughby against the decision of Rotherham Metropolitan Borough Council.
 - The application Ref RB2021/1446, dated 14 July 2021, was refused by notice dated 10 September 2021.
 - The development proposed is construction of an agricultural building (tractor and implement store).
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i. Whether the proposal would be inappropriate development for the purposes of the development plan and the National Planning Policy Framework (the Framework);
 - ii. The effect of the proposal on the openness of the Green Belt and the character and appearance of the area; and
 - iii. If the proposal would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.

Reasons

3. Policy SP2 of the Rotherham Local Plan Sites and Policies Adopted June 2018 (the LP) recognises the purposes of the Green Belt and states that inappropriate development should not be approved, except in very special circumstances. Policy SP7 relates to new agricultural buildings in the Green Belt; specifying that it must be demonstrated that the building is needed, designed and constructed solely for the purposes of agriculture or forestry. The approach set out in the development plan is consistent with the Framework which states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. Exceptions to this include buildings for agriculture and forestry.

4. The appellant states that the appeal holding comprises some 14.25 hectares of agricultural land and at present there are no agricultural storage buildings on the land. There is an existing herd of goats and a need to provide storage for machinery, fodder, hay and straw, livestock handling and kidding pens. However, there is no clear evidence that the appeal property is an agricultural holding or that the machinery and equipment on site is utilised for agricultural purposes. At my site visit I noted that there are other activities taking place on the appeal site, including building and quarrying. Consequently, there is insufficient evidence for me to conclude that the proposal is essential for agricultural purposes and therefore, it would be inappropriate development in the Green Belt.
5. Openness is an essential characteristic of the Green Belt. The appeal site is in an elevated position, but there are hedgerows and some tall mature trees in the vicinity. As such it is relatively well screened from some positions in the surrounding area. Despite this, a new building of the scale proposed would be a substantial solid addition to the landscape. Consequently, I conclude that it would not preserve the openness of the Green Belt and thus would impact on the purpose of safeguarding the countryside from encroachment.
6. Whilst the effects on the openness would be moderate, on the basis that the fundamental aim of the Green Belt as set out in the Framework, and reflected in the LP, is to keep land permanently open, they would be sufficient to conflict with Green Belt policies.
7. Furthermore, given the relatively prominent location, a building of the scale proposed would be a dominant feature in the locality. I can appreciate that the proposed design and materials would be suitable for a building of this type, but that does not persuade me that the character and appearance of the area would not be harmed by such a large feature. Landscaping in the area may help to screen the proposed building but not sufficiently to mitigate the harm to the character and appearance of the area.
8. The appellant has not advanced any special circumstances other than contending that there is a need to protect expensive machinery and equipment. I give limited weight to the argument relating to this in this case given the lack of evidence of agricultural activities. Accordingly, this aspect of the appellant's case does not attract positive weight.
9. The proposal comprises inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. To be added to that harm is the harm to openness and to the character and appearance of the area. The Framework indicates that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist, unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. I have taken account of the other considerations put forward but they do not carry any positive weight. The harm identified is not clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.
10. Therefore, the proposal would conflict with Policies SP2 and SP7 of the LP and the Framework and the appeal should not succeed.

Conclusion

11. For the above reasons and taking account of all other matters raised I conclude that the appeal should be dismissed.

A A Phillips

INSPECTOR